

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Happy Halloween, Inc., a Texas Corporation,
and Todd James, an individual, d/b/a Happy
Halloween, Inc.

Plaintiffs,

vs.

Screams, LLC, a Texas Limited Liability
Company,

Defendant.

No. 11-cv-01513-RSL

**STIPULATION AND ORDER
EXTENDING TIME TO RESPOND
TO COMPLAINT**

STIPULATED MOTION

WHEREAS the Complaint in the above captioned action was filed on September 13,
2011;

WHEREAS the Complaint was served on Defendant Screams, LLC on October 11, 2011;

WHEREAS the Court previously ordered on November 22, 2011, that the time for
Defendant Screams, LLC to answer, file counterclaims, or otherwise respond to the Complaint in
this case would be extended up to and including January 30, 2012;

WHEREAS the parties are actively trying to settle this matter;

1 WHEREAS Defendant has requested an additional thirty (30) days to answer, file
2 counterclaims, or otherwise respond to the Complaint, and Plaintiffs have consented to this
3 request;

4 WHEREAS Defendant is not making a general appearance by this Stipulation and neither
5 Plaintiffs nor the Defendant intend to waive or otherwise impair any available substantive or
6 procedural claims or defenses;

7 IT IS HEREBY STIPULATED AND AGREED that:

- 8 1. The time for Defendant Screams, LLC to answer, file counterclaims, or otherwise
9 respond to the Complaint in this case shall be extended up to and including
10 February 29, 2012.
- 11 2. By entering into this stipulation, Plaintiffs and the Defendant do not waive or
12 otherwise impair any available substantive or procedural claims or defenses.
- 13 3. This stipulation may be executed by facsimile and in counterparts.

14 Dated this 20th day of January, 2012.

15 Presented by:

16 **NEWMAN DU WORS LLP**

17 /s/ Randall Moeller

18 Derek A. Newman, Esq. WSBA No. 26967
19 Randall Moeller, Esq. WSBA No. 21094
20 1201 Third Avenue, Suite 1600
Seattle, Washington 98101

21 **DOZIER INTERNET LAW, P.C.**

22 /s/ John W. Dozier, Jr.

23 John W. Dozier, Jr., Esq., *pro hac vice*
24 11520 Nuckols Rd., Suite 101
25 Glen Allen, Virginia 23509
26 Tel: (804) 346-9770
27 Fax: (804) 346-0800
28 Email: jwd@cybertriallawyer.com

*Attorneys for Plaintiff Happy Halloween, Inc., a
Texas Corporation, and Todd James, an individual,
d/b/a Happy Halloween, Inc.*

GIBSON, DUNN & CRUTCHER LLP

/s/ Howard S. Hogan

Howard S. Hogan, Esq., *pro hac vice*
forthcoming

1050 Connecticut Avenue, N.W.

Washington, D.C. 20036

Tel: (202) 955-8500

Fax: (202) 530-9550

Email: hhogan@gibsondunn.com

Attorneys for Defendant, Screams, LLC

IT IS SO ORDERED.

Dated this ____ day of January, 2012.

THE HONORABLE JUDGE ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE